

REMARKS

OBJECTIONS TO THE SPECIFICATION

The Office action requested that Applicant add a “Summary of the Invention” description to the application. However, Applicant points out that both the M.P.E.P. and 37 C.F.R. §1.73 do not require the presence of a “Summary of the Invention” in a patent application. In particular, 37 C.F.R. §1.73 states that “[a] brief summary of the invention ... should precede the detailed description.” 37 C.F.R. § 1.73 does not state “must” or “shall.” Accordingly, Applicant has elected not to include a “Summary of the Invention” as this is within the discretion of Applicant.

CLAIM OBJECTIONS

Claims 1, 6, 9, 17, 21, 25, 27, 28, 33, and 36 have been objected to because of various informalities. Claims 25, 27 and 36 have been canceled. Therefore, the objection to these claims is moot. Claims 1, 6, 9, 17, 21, 28, and 33 have been amended to correct the lingering informalities as requested in the Office action.

REJECTIONS UNDER 35 U.S.C. § 112

Claims 1-37 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 3, 5, 25-27, and 36-37 have been canceled. Therefore, the rejection of these claims is moot. Applicant respectfully submits claims 1-2, 4, 5-24, and 28-35 satisfy the requirements of 35 U.S.C. § 112, second paragraph, for at least the reasons set forth below.

Claims 1, 6, 17, 21, 28 and 33 are the pending claims specifically rejected under 35 U.S.C. § 112, second paragraph. Applicant has amended claims 1, 6, 17, 21, 28 and

33 to provide proper antecedent basis and bring clarity to the claims. Thus, Applicant submits claims 1, 6, 17, 21, 28 and 33 as amended are definite and particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 2, 4, 7-16, 18-20, 22-24, 29-32, and 34-35 depend from independent claims 1, 6, 17, 21, 28 and 33, respectively. Therefore, Applicant respectfully submits claims 2, 4, 7-16, 18-20, 22-24, 29-32, and 34-35 satisfy the requirements of 35 U.S.C. § 112, second paragraph for at least the same reasons as claims 1, 6, 17, 21, 28 and 33.

REJECTIONS UNDER 35 U.S.C. § 103

The Office action states that the rejection issued in the Final Office action mailed June 10, 2005 remains applicable for rejecting the claims *as presented* (as of June 10, 2005) and is incorporated by reference. Given that the claims have been amended, Applicant submits that the rejection issued in the Final Office action of June 10, 2005 is not applicable to the amended claims. However, in a good faith attempt to respond fully to the rejection, Applicant presents the arguments set forth below in response to the rejection.

Claims 1-37 were previously rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,381,646 issued to Zhang, et al. (*Zhang*) in view of U.S. Patent No. 6,661,799 issued to Molitor (*Molitor*). Claims 3, 5, 25-27, and 36-37 have been canceled. Therefore, the rejection of these claims is moot. Applicant respectfully submits claims 1-2, 4, 6-24, and 28-35 are not obvious in view of *Zhang* and *Molitor* for at least the reasons set forth below.

Regarding independent claim 1, neither *Zhang* nor *Molitor* discloses receiving network configuration data that is not subject to network address translation from a

network configuration server external to the private network as recited in claim 1. Thus, *Zhang* and *Molitor* fail to disclose at least one limitation of claim 1. Therefore, claim 1 is not obvious in view of *Zhang* and *Molitor*. Claims 2 and 4 depend from claim 1 and are nonobvious in view of *Zhang* and *Molitor* for at least the same reasons as discussed above with respect to claim 1.

Regarding independent claim 6, *Zhang* and *Molitor* fail to teach or disclose using the second network address in the payload of the packet to provide a network configuration for a communications exchange. Thus, *Zhang* and *Molitor* fail to disclose at least one limitation of claim 6. Therefore, claim 6 is not obvious in view of *Zhang* and *Molitor*. Claims 7-16 depend from claim 1 and are nonobvious in view of *Zhang* and *Molitor* for at least the same reasons as discussed above with respect to claim 6.

Regarding independent claim 17, *Zhang* and *Molitor* fail to teach or disclose providing an external address to a network driver of the first machine using a payload portion of a data packet through an access point that performs network address translation on the machine network address as recited in claim 17. Independent claim 33 recites similar limitations. Thus, *Zhang* and *Molitor* fail to disclose at least one limitation of both claims 17 and 33. Therefore, Applicant respectfully submits claim 17 and 33 are not obvious in view of *Zhang* and *Molitor*. Claims 18-20 depend from claim 17 and claims 34-35 depend from claim 33. Applicant respectfully submits claims 18-20 and 34-35 are nonobvious in view of *Zhang* and *Molitor* for at least the same reasons as discussed above with respect to claims 17 and 33.

Regarding independent claim 21, *Zhang* and *Molitor* fail to teach or disclose calling a network driver before the session layer as recited in claim 21. Thus, *Zhang* and

Molitor fail to disclose at least one limitation of claim 21. Therefore, Applicant respectfully submits claim 21 is not obvious in view of *Zhang* and *Molitor*. Claims 22-24 depend from claim 21 and are nonobvious in view of *Zhang* and *Molitor* for at least the same reasons as discussed above with respect to claim 21.

Regarding claim 28, *Zhang* and *Molitor* fail to teach or disclose transmitting through the access point at least one network packet having a header comprising a packet origin, and a data payload comprising the second network address as recited in claim 28. Thus, *Zhang* and *Molitor* fail to teach or disclose at least one limitation of claim 28. Therefore, Applicant respectfully submits claim 28 is not obvious in view of *Zhang* and *Molitor*. Claims 29-32 depend from claim 28 and are nonobvious in view of *Zhang* and *Molitor* for at least the same reasons as discussed above with respect to claim 28.

CONCLUSION

For at least the foregoing reasons, Applicant submits that the rejections have been overcome. Therefore, claim 1-2, 4, 6-24, and 28-35 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account
number 02-2666.

Respectfully submitted,
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